

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

TIMOTHY S. HADLEY,)	
)	
Plaintiff,)	
)	
v.)	No. 5:14-cv-00229-D
)	
DUKE ENERGY PROGRESS, INC.)	
)	
Defendant.)	

TIMOTHY S. HADLEY,)	
)	
Plaintiff,)	
)	
v.)	No. 5:14-cv-00387-D
)	
DUKE ENERGY PROGRESS, INC.,)	
GLEND SUE HARDISON, and)	
RICHARD MONTGOMERY,)	
)	
Defendants.)	

ORDER

This matter comes before the Court by Motion to Seal Exhibit A to the Supplemental Declaration of Glenda Sue Hardison (“Exhibit A”) filed by Defendants Duke Energy Progress, Inc. (“DEP”), Glenda Sue Hardison, and Richard Montgomery (collectively, “Defendants”). The Court makes the following findings of fact and conclusions of law:

1. It is necessary for the Court to review Exhibit A in order to properly consider Defendants’ Reply in support of their Motion for Summary Judgment.
2. It appears to the Court that Exhibit A contains DEP’s confidential and proprietary information.

3. The Court has given the public sufficient notice and opportunity to object to Defendants' Motion to Seal prior to ruling on the Motion.

4. Given that Exhibit A appears to be confidential in its entirety, there is no reasonable alternative to protect the confidential information contained therein other than sealing the document.

5. The public's right of access to this document is outweighed by the interests that Defendants claim in protecting against its public disclosure.

6. Counsel for Defendants has consulted counsel for Plaintiff regarding this motion, but counsel for Plaintiff has not indicated whether Plaintiff consents to the motion.

NOW, THEREFORE, upon consideration of the Motion to Seal, and the entire record herein, the Court finds that good cause exists to grant the Motion to Seal, and it is therefore ORDERED that the Motion to Seal is hereby GRANTED; and it is FURTHER ORDERED that Exhibit A be FILED UNDER SEAL.

This the 2 day of November 2015.


JAMES C. DEVER III
Chief United State District Judge